

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

WILLIAM A. MINNICK,)	
by THOMAS ANTHONY DURKIN,)	
His Guardian ad Litem,)	
)	
Petitioner)	
)	CAUSE NO. 3:99-CV-157 RM
v.)	
)	
CECIL DAVIS,)	DEATH PENALTY CASE
)	
Respondent)	

OPINION AND ORDER

William A. Minnick, a prisoner, has again presented this court with *pro se* filings. During the pendency of this proceeding, Mr. Minnick was found incompetent and appointed a guardian ad litem who worked on this case with his two attorneys. Nevertheless, Mr. Minnick frequently sent irrelevant materials to this court. This case is now closed. It was closed because Mr. Minnick's sentence was vacated. Therefore there is no possible relief which he can obtain in this case. Yet Mr. Minnick continues to write to this court. It is time for this to stop. Mr. Minnick awaits resentencing in state court where he has counsel. He may address his concerns to those lawyers, but he must stop filing in this case. Because this case is closed, because there is no possible relief which he can obtain in this case, because he is incompetent, and because he is represented by counsel, this court cannot grant him any relief based on anything he files in this case.

For the foregoing reasons, the court:

(1) **STRIKES** Mr. Minnick's *pro se* filings (docket ## 176 and 177);

(2) **DIRECTS** the clerk to return to Mr. Minnick all copies of these filings (docket ## 176 and 177); and

(3) **DIRECTS** the clerk to return unfiled any papers Mr. Minnick attempts in the future to file *pro se* in this case.

SO ORDERED.

ENTERED: October 3, 2005

/s/ Robert L. Miller, Jr.
Chief Judge
United States District Court